

1-27-03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Friedrich ROELL

Application No: 09/619,842

Filed: July 20, 2000

For: METHOD OF PRODUCING A THREE-
DIMENSIONAL KNIT AND TEXTILE MATERIAL
PRODUCED THEREBY



Art Unit: 3765

Examiner:
L. Worrell, Jr.

Handwritten signature/initials

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APR 19 2004
TECHNOLOGY CENTER R3700

NOTIFICATION REGARDING OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Office Action mailed September 27, 2002 does not reflect the current status of the application, which is that the application contains claims 17-38 filed with the reply to the Office Action mailed December 29, 2000 and claims 39-42 included in a supplemental reply that was filed on June 1, 2001 and in which claims 17, 21, 22 and 26-28 were amended. The Office Action mailed September 27, 2002 is in fact simply a copy of the Office Action mailed December 29, 2000 and applicant therefore believes that the Office Action mailed September 27, 2002 was sent in error. During a telephone conversation with the examiner on October 7, 2002, the examiner confirmed that the Action mailed September 27, 2002 had been sent in error. In the circumstances, applicant believes that no reply to the Office Action mailed September 27, 2002 is required. Applicant awaits an Action on the merits of claims 17-42.

Respectfully submitted,

Handwritten signature of John Smith-Hill

John Smith-Hill
Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.
12670 NW Barnes Road, Suite 104
Portland, Oregon 97229

Tel. (503) 574-3100
Fax (503) 574-3197
Docket: ZIP 1782D1

Certificate of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Handwritten signature of John Smith-Hill
John Smith-Hill

Date 1/27/03

TO:Auto-reply fax to 503 574 3197 COMPANY:



Auto-Reply Facsimile Transmission



TO:

Fax Sender at 503 574 3197

Fax Information

Date Received:

1/27/03 6:24:21 PM [Eastern Standard Time]

Total Pages:

2 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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Cover
Page
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SENT BY: SH&B; 503 574 3197; JAN-27-03 3:25PM; PAGE 1/2

Smith-Hill and Bedell, P.C.

PATENT AND TRADEMARK LAWYERS

John Smith-Hill

Daniel J. Bedell

12670 NW Durma Rd., Suite 104
Portland, Oregon 97229
Telephone: (503) 574-3197
Facsimile: (503) 574-3197

FACSIMILE COVER SHEET

To: L. Worrell, Jr.
Art Unit 3765

From: John Smith-Hill

Firm: US PATENT AND
TRADEMARK OFFICE

Date: January 27, 2003

Fax: 1-703-872-9302

Our ref: ZIP 1782D1

Your ref: 09/619,042

Pages: Cover + 1

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Smith-Hill and Bedell, P.C.

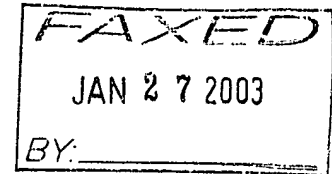
PATENT AND TRADEMARK LAWYERS



12670 NW Barnes Rd., Suite 104
Portland, Oregon 97229
Telephone: (503) 574-3100
Facsimile: (503) 574-3197

John Smith-Hill

Daniel J. Bedell



FACSIMILE COVER SHEET

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Art Unit 3765

From: John Smith-Hill

Firm: US PATENT AND
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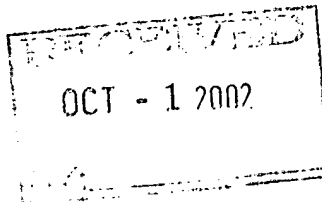
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20531
www.uspto.gov



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/619,842	07/20/2000	Friedrich Roell	ZIP 1782D1	2962

812 7590 09/27/2002
SMITH-HILL AND BEDELL
12670 N W BARNES ROAD
SUITE 104
PORTLAND, OR 97229



EXAMINER	
WORRELL JR, LARRY D	
ART UNIT	PAPER NUMBER
3765	

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/619,842

Applicant(s)

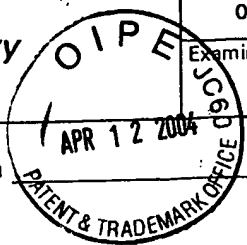
Roell

Examiner

Danny Worrell

Group Art Unit

3765

☐ Responsive to communication(s) filed on _____☐ This action is FINAL.☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1, 2, 6, 7, and 13 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.☒ Claim(s) 1, 2, 6, 7, and 13 is/are rejected.☐ Claim(s) _____ is/are objected to.☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.☐ The drawing(s) filed on _____ is/are objected to by the Examiner.☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been☐ received.☒ received in Application No. (Series Code/Serial Number) 09/171,370.☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2☐ Interview Summary, PTO-413☐ Notice of Draftsperson's Patent Drawing Review, PTO-948☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Art Unit: 3741



DETAILED ACTION

Claim Rejections - 35 USC § 112

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1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 2, 6, 7 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The claims are generally narrative and indefinite. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Re claims 1 and 6, the recitation "a three dimensional knit, i.e. a knit whose area is shaped spatially" is indefinite as to the structure being claimed. The recitation "widening and/or narrowing" is an indefinite alternative expression.

Re claim 2, the recitation "in a portion of equal deformation" has no clear and definite meaning is unclear a relative recitation which renders the claim indefinite. A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The

Art Unit: 3741

Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949).

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6, 7 and 13 are insofar as definite are rejected under 35 U.S.C. 102(b) as being anticipated by British patent document 469998.

British patent document 469998 teaches the invention as claimed including the steps of widening and narrowing in specific portions and spaced away roughly equally. Note that the knitting is done of a twin bed knitting machine.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3741

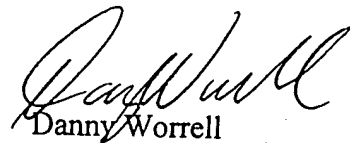
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Worrell whose telephone number is (703) 308-0889. Messages placed on voice mail will be returned by the end of my next business day.

The fax phone number for this Group is (703) 308-0758.

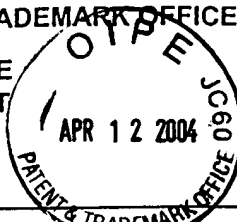
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

Any inquiry concerning the Draftsperson's drawing review should be directed to the Chief Draftsperson whose telephone number is (703) 305-8404.

LDW
December 2, 2000


Danny Worrell
Primary Examiner
TC 3700

FORM PTO-1449 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b))	DOCKET NO. ZIP 1782D1	APPLICATION NO.
	APPLICANT Friedrich ROELL	
	FILING DATE	GROUP



U.S. PATENT DOCUMENTS

EXAM INIT	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE

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10857 U.S. PTO
 09/619642
 07/20/00

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM INIT	DOCUMENT NUMBER	PUBL. DATE	COUNTRY OR PAT. OFFICE	CLASS	SUB CLASS	TRANS.	
						Y	N
u	562,751	10/1932	Germany				
u	3,937,406	05/1991	Germany				
u	631,470	12/1927	France				
u	469,998	08/1937	United Kingdom				
u	2,206,609	01/1989	United Kingdom				

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

EXAMINER <i>[Signature]</i>	DATE CONSIDERED 2/1/00
------------------------------------	-------------------------------

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Larry I. Schwartz
Administrator, TC 3700
Customer Service Center
306-5648
CP2-2EO2
9-10-02

COPY

PLAZA 2
Room 2EO2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Friedrich ROELL

Application No: 09/619,842

Filed: July 20, 2000

For: METHOD OF PRODUCING A THREE-
DIMENSIONAL KNIT AND TEXTILE
MATERIAL PRODUCED THEREBY



Art Unit: 3765

Examiner:
L. Worrell, Jr.

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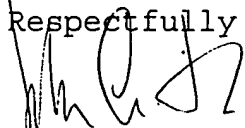
SUPPLEMENTAL REPLY TO NOTICE UNDER 37 CFR 1.251

Attention: Mr. Larry Schwartz
ASSISTANT COMMISSIONER FOR PATENTS
Crystal Plaza 2-2EO2
Washington, D.C. 20231

Sir:

A reply to the Notice mailed January 17, 2002 was filed on February 15, 2002, as indicated by the accompanying copy of the return postcard stamped February 15, 2002. Applicant understands that the reply filed February 15, 2002 cannot be found. A copy of the reply filed February 15, 2002 is therefore submitted herewith.

Respectfully submitted,



John Smith-Hill
Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.
12670 NW Barnes Road, Suite 104
Portland, Oregon 97229

Tel. (503) 574-3100
Fax (503) 574-3197
Docket: ZIP 1782D1



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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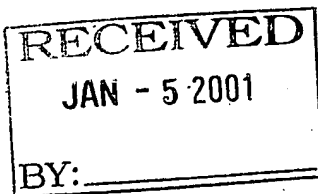
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/619,842 07/20/00 ROELL

F ZIP 178201

007812
SMITH-HILL AND BEDELL
12670 N W BARNES ROAD
SUITE 104
PORTLAND OR 97229

QM12/1229



EXAMINER

WORRELL JR, L

ART UNIT	PAPER NUMBER
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3765

DATE MAILED:

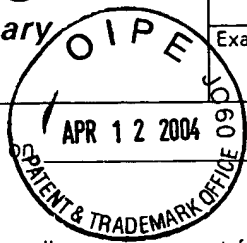
12/29/00

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action SummaryApplication No.
09/619,842Applicant
RoellExaminer
Danny WorrellGroup Art Unit
3765

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1, 2, 6, 7, and 13 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1, 2, 6, 7, and 13 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
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Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

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Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☒ received in Application No. (Series Code/Serial Number) 09/171,370.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---



DETAILED ACTION

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Re claim 2, the recitation "in a portion of equal deformation" has no clear and definite meaning is unclear a relative recitation which renders the claim indefinite. A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The

Art Unit: 3741

Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949).

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 6, 7 and 13 are insofar as definite are rejected under 35 U.S.C. 102(b) as being anticipated by British patent document 469998.

British patent document 469998 teaches the invention as claimed including the steps of widening and narrowing in specific portions and spaced away roughly equally. Note that the knitting is done of a twin bed knitting machine.

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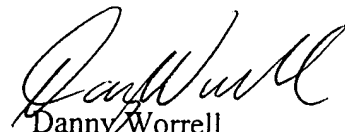
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Any inquiry concerning the Draftsperson's drawing review should be directed to the Chief Draftsperson whose telephone number is (703) 305-8404.

LDW
December 2, 2000


Danny Worrell
Primary Examiner
TC 3700



09619.8

3765

Attorney Docket No: ZIP 1782D1
Express Mail
Label No: EK530291186
Date of Deposit: July 20, 2000

TRANSMITTAL OF CONTINUING APPLICATION

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

3/A

Sir:

This application is a ☐ continuation ☒ divisional
☐ continuation-in-part application filed under the procedure
set forth in 37 CFR 1.53(b).

1. PRIOR APPLICATION DATA

Application No: 09-~~171~~,370

Filing Date: October 16, 1998

Title: PROCESS FOR PRODUCING THREE-
DIMENSIONAL KNITTED FABRICS AND
TEXTILE MATERIAL THUS PRODUCED

Applicant: Friedrich ROELL

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2. ENCLOSED ARE:

- ☒ Fee Transmittal Form (in duplicate)
- ☒ 9 pages description, 3 page(s) claims, 1 page abstract
[Total Pages: 13]
- ☒ 2 sheet(s) drawings
- ☒ Declaration for Patent Application
 - ☐ Newly executed
 - ☒ Copy from prior application
- ☐ An assignment and recordation cover sheet
- ☐ Small entity status: verified statement that this is a
filing by a small entity under 37 C.F.R. 1.9 and 1.27.
- ☐ Preliminary Amendment
- ☒ Information Disclosure Statement

3. ☒ Cancel in this application original claims 3-5, 8-12 and 14-16 before calculating the filing fee.

4. ☐ This divisional or continuation application is filed by fewer than all of the inventors named in the prior application and this application is accompanied by a statement requesting deletion of the name(s) of the person(s) who is(are) not inventor(s) in this application.

5. ☐ The ☐ inventorship, ☐ inventor's citizenship, residence or post office address as shown on the original oath or declaration was changed and approved during prosecution of the prior application, which changes are shown on the enclosed Inventor(s) Information Sheet.

6. ☒ Priority of Application No. 196 16 005.7 filed on April 18, 1996 in Germany is claimed under 35 USC 119.

☒ A certified copy of the priority application has been filed in prior Application No. 09/171,370 filed October 16, 1998.

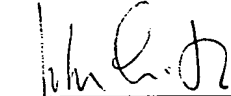
7. ☒ The prior application is assigned of record to Recaro GmbH & Co. (For divisional or continuation only; not for CIP.)

8. ☐ A petition and fee for _____ month's extension of time to respond to the Office Action mailed _____ in the prior application, until _____, has been filed, and a copy of the petition is attached.

9. ☐ A verified statement claiming small entity status has been filed in prior Application No. _____ filed _____. A copy of the verified statement is enclosed. Status as a small entity is still proper and is desired.

10. ☒ Address all future communications to the correspondence address associated with Customer No. 007812.

By



John Smith-Hill, Reg. No. 27,730

☒ Attorney or Agent of Record

☐ Filed under 37 CFR 1.34(a)

Telephone (503) 574-3100

Facsimile (503) 574-3197



Attorney Docket No. ZIP 1782D1
Express Mail
Label No: EK530291186

FEE TRANSMITTAL FORM

Divisional Application based on
prior U.S. Application No. 09/171,370

CLAIMS PENDING IN CONTINUATION/DIVISIONAL APPLICATION						
	No.	Filed	No.	Extra	Rate	Fee
TOTAL CLAIMS	5	-20 =	0		X \$ 18	= 0
INDEP. CLAIMS	2	- 3 =	0		X \$ 78	= 0
Additional Multiple Dependent Claim Fee					\$260	= 0
BASIC FILING FEE						= \$690
Discount for Small Entity						= 0
TOTAL FILING FEE						= \$690

[x] A check in the amount of \$690 is enclosed.

[x] Please charge any additional filing fees under 37 CFR 1.16 which may be required by this paper, or credit any overpayment to Deposit Account No. 19-2560. This sheet is filed in duplicate.

Penelope Stockwell
Penelope Stockwell

July 20, 2000
Date

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TECHNOLOGY CENTER R3700

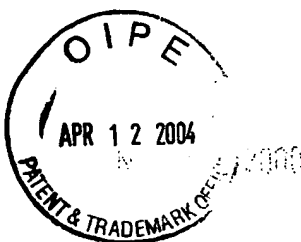


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/619,842	07/20/2000	3741	690	ZIP 1782D1	2	5	2

007812
SMITH-HILL AND BEDELL
12670 N W BARNES ROAD
SUITE 104
PORTLAND, OR 97229



FILING RECEIPT



OC000000005382717

Date Mailed: 11/13/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Friedrich Roell, Biberach, GERMANY;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 09/171,370 10/16/1998 PAT 6,122,937
WHICH IS A 371 OF PCT/DE97/00792 04/18/1997

Foreign Applications

GERMANY 196 16 005.7 04/18/1996

If Required, Foreign Filing License Granted 09/07/2000

Title

Method of producing a three-dimensional knit and textile material produced thereby

Preliminary Class

066

Data entry by : JOHNSON, ANGELA

Team : OIPE

Date: 11/13/2000



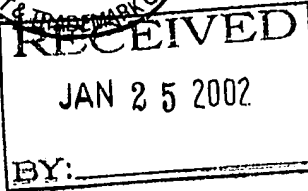
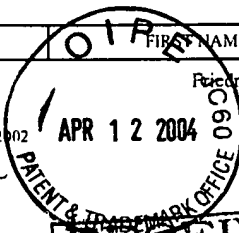


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/619,842	07/20/2000	Friedrich Roell	ZIP 1782D1	2962

7812 7590 01/17/2002
SMITH-HILL AND BEDELL
12670 N W BARNES ROAD
SUITE 104
PORTLAND, OR 97229



EXAMINER

WORRELL JR, LARRY D

ART UNIT	PAPER NUMBER
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3765

DATE MAILED: 01/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

NOTICE UNDER 37 CFR 1.251 - Pending Application

☒ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

☒ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Box Reconstruction
United States Patent and Trademark Office
Washington, DC 20231

Direct questions concerning this notice to:

Carolyn Brown
(703) 308-2192

FAX 703 305-8622



FORM PTO-2053-B (REV. 11/2000)

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In re Application of: _____

Application No.: _____

Filing Date: _____

Title: _____

Direct to:

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Washington, DC 20231

Carolyn Brown
Supervisory Legal Instrument Examiner
Group 3700

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NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

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☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Date

Signature

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Attorney Docket No. ZIP 1782D1
Express Mail
Label No. EL888470184
Deposit Date 2/15/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Friedrich ROELL

Art Unit: 3765

Application No: 09/619,842

Examiner:
L. Worrell, Jr.

Filed: July 20, 2000

For: METHOD OF PRODUCING A THREE-
DIMENSIONAL KNIT AND TEXTILE MATERIAL
PRODUCED THEREBY

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REPLY TO NOTICE UNDER 37 CFR 2.251

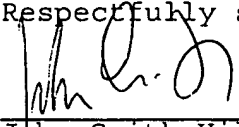
Box Reconstruction
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice mailed January 17, 2002, the following items are submitted in order to assist the Office in reconstructing the application file:

1. Notice Under 37 CFR 1.251
2. Transmittal of Continuing Application
3. Specification and 2 sheets drawings
4. Copy of Declaration from prior application
5. Information Disclosure Statement w/Form PTO-1449
6. Filing Receipt
7. Office Action mailed 12/29/00
8. Reply to the Office Action mailed 12/29/00
9. Supplemental Reply to the Office Action mailed 12/29/00
10. Notice Under 37 CFR 1.251

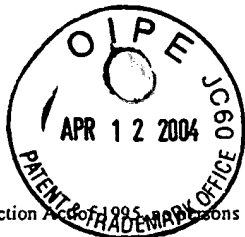
Respectfully submitted,



John Smith-Hill
Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.
12670 NW Barnes Road, Suite 104
Portland, Oregon 97229

Tel. (503) 574-3100
Fax (503) 574-3197



Attorney Docket No. IP 1782D1
Express Mail Label No. EL888470184
Date of Deposit: 2/15/02

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In re Application of:

Friedrich ROELL

Application No.:

09/619,842

Filing Date:

July 20, 2000

Title:

METHOD OF PRODUCING A THREE-DIMENSIONAL
KNIT AND TEXTILE MATERIAL PRODUCED THEREBY

Carolyn Brown
Supervisory Legal Instrument Examiner
Group 3700

Direct to:

Box Reconstruction
United States Patent and Trademark Office
Washington, DC 20231

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2/13/02
Date

John Smith-Hill
Signature

John Smith-Hill

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Date Received:

3/25/03 6:50:28 PM [Eastern Standard Time]

Total Pages:

2 (including cover page)

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=====>

SENT BY: SHAB; 503 574 3197; MAR-25-03 3:58PM; PAGE 1/2

Smith-Hill and Bedell, P.C.

PATENT AND TRADEMARK LAWYERS

John Smith-Hill

Daniel J. Bedell

12670 NW Davies Rd., Suite 104
Portland, Oregon 97229
Telephone: (503) 574-3100
Facsimile: (503) 574-3197

FACSIMILE COVER SHEET

To: L. Worrell, Jr.
Art Unit 3765

From: John Smith-Hill

Firm: US PATENT AND
TRADEMARK OFFICE

Date: March 25, 2003

Fax: 1-703-872-9302

Our ref: ZIP 1782D1

Your ref: 09/619,842

Pages: Cover + 1

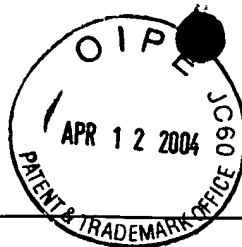
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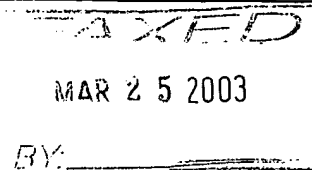
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